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17 **UNITED STATES DISTRICT COURT**
18
19 **NORTHERN DISTRICT OF CALIFORNIA**
20
21 San Francisco Division

22 SUSAN CHAMBERLAN, BRIAN
23 CHAMPINE, and HENRY FOK, on behalf
24 of themselves and all others similarly
25 situated, and on behalf of the general
26 public,

27 Plaintiffs,

28 v.

FORD MOTOR COMPANY, and DOES 1
through 100, inclusive,

Defendants.

Case No. C 03-02628 MEJ

**FORD MOTOR COMPANY'S NOTICE OF
MOTION AND MOTION TO DISMISS**

Date: July 17, 2003
Time: 10:00 a.m.
Courtroom: B

Hon. Maria-Elena James

1 **NOTICE OF MOTION AND MOTION TO DISMISS**

2 TO PLAINTIFFS AND THEIR COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE THAT ON July 17, 2003, or as soon thereafter as the
4 matter may be heard in the above -entitled Court located at Courtroom B, United States
5 Courthouse, 450 Golden Gate Avenue, San Francisco, California 94102, defendant Ford Motor
6 Company (“Ford”) will and hereby does move this Court for an order dismissing all counts of
7 plaintiffs’ Complaint for failure to state a claim, pursuant to Rule 12(b)(6) of the Federal Rules of
8 Civil Procedure. This motion is based on this Notice of Motion and Motion, the pleadings on file
9 in this matter, the following Memorandum of Points and Authorities, and other relevant materials
10 and evidence as may be presented to the Court.

11 By this motion, Ford seeks an order dismissing with prejudice all counts of
12 plaintiffs’ Complaint.

13 Dated: June 12, 2003

 O’MELVENY & MYERS LLP

14 By: /s/ Troy M. Yoshino

15 Troy M. Yoshino

16 Attorneys for Defendant

17 FORD MOTOR COMPANY

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